

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

BRIAN STRETCH (CSBN 163973)
Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7359
Facsimile: (415) 436-7234
denise.barton@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-0329 JSW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING THE DATE FOR
v.)	FILING OPPOSITIONS TO
)	DEFENDANT'S MOTION AND REPLIES
TIMOTHY CRAIG,)	TO OPPOSITION
)	
Defendant.)	
)	

On June 12, 2008, this Court set the following schedule for filing of pretrial motions:

Motions Due:	July 31, 2008
Oppositions Due:	August 21, 2008
Replies Due:	September 4, 2008
Hearing Date:	September 25, 2008, 2:30 p.m.

See Minute Order, ECF No. 23. The defendant has filed a lengthy motion to suppress which seeks to suppress evidence on five separate legal and factual theories and alleges a

1 *Franks* violation. (See ECF Docket No. 28).

2 The United States now seeks to amend the filing scheduled in the following
3 respect, which will not to change the hearing date and still afford the Court 7 court days
4 to review the papers prior to the scheduled hearing, rather than 9 court days under the
5 originally agreed upon and ordered schedule.

6 Oppositions Due: August 24, 2008

7 Replies Due: September 10, 2008

8 Hearing Date: September 25, 2008, 2:30 p.m.

9 As grounds for this amendment, the Government advises the Court that government
10 counsel who joined the case and was slated to file the response was unable to spend the
11 time needed to draft the respond due to urgent case matters that arose in an unexpected
12 and new investigation during the time he allotted for responding to the *Craig* matter. The
13 response will now be drafted by undersigned counsel who has been fully occupied with
14 pretrial filings and trial preparation and is currently drafting responses to responses to
15 four motions in limine, in *United States v. Blaylock*, 07-454 PJH, a sex trafficking of a
16 minor trial, that are due Wednesday, August 20, 2008 and appearing before this Court on
17 a hearing on a motion to suppress in *United States v. Silva*, 07-678 on Thursday, August
18 21, 2008. Notwithstanding best efforts, undersigned counsel is concerned that she will be
19 unable to finish a response by the currently set filing deadline and respectfully requests
20 the additional days over the intervening weekend to finish the response. All time has

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 been excluded under the Speedy Trial Act upon filing of the Motions and no further
2 exclusion of time is necessary. *See* 18 U.S.C. § 3161(h)(1)(F).

3
4 SO STIPULATED:

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 DATED: August 20, 2008

8 /s/
DENISE MARIE BARTON
Assistant United States Attorney

9
10 DATED: August 20, 2008

11 /s/
STEVEN G. KALAR
Attorney for TIMOTHY CRAIG

12 For the foregoing reasons, motions briefing schedule is amended in the manner set
13 forth above such that

14 Oppositions Due: August 24, 2008
15 Replies Due: September 10, 2008
16 Hearing Date: September 25, 2008, 2:30 p.m.

17
18
19 SO ORDERED.

20
21 DATED: August 20, 2008

22 
Honorable Jeffrey S. White
United States District Court Judge